

# COASTAL CONSERVANCY

Staff Recommendation

May 29, 2014

## **Albany Neck and Bulb Transition Improvement Plan**

Project No. 14-007-01

Project Manager: Jeff Melby

**RECOMMENDED ACTION:** Authorization to disburse up to \$168,000 to the City of Albany to develop a plan for improving the Albany Neck and Bulb to enable this area to become part of McLaughlin Eastshore State Park.

**LOCATION:** Waterfront of San Francisco Bay, City of Albany, Alameda County

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy

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### **EXHIBITS**

Exhibit 1: [Project Location and Site Maps](#)

Exhibit 2: [Photographs](#)

Exhibit 3: [Letters of Support](#)

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### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred sixty-eight thousand dollars (\$168,000) to the City of Albany (City) to develop a plan for improving the Albany Neck and Bulb to enable this area to become part of McLaughlin Eastshore State Park of Alameda County. The City shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, schedule, budget, and the names of any contractors to be employed.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding projects of the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

## PROJECT SUMMARY:

Staff recommends that the Conservancy authorize a grant of up to \$168,000 to the City of Albany (City) to develop a plan for improving the Albany Neck and Bulb to enable this area to become part of McLaughlin Eastshore State Park (Eastshore Park), a State designated seashore, in Alameda County (Exhibit 1). The funding for the proposed project is derived from funds received by the Conservancy from the California Department of Transportation (Caltrans). These mitigation funds were required under permits issued by the San Francisco Bay Conservation and Development Commission (BCDC) for Caltrans work on the Bay Bridge and Interstate 80.

The Albany Neck and Bulb were created by a landfill operation which placed construction debris along the waterfront, progressively out into San Francisco Bay. Eastshore Park, formally established in 2002, is the result of decades of citizen efforts, starting in the 1960s, to stop garbage dumping in the Bay; to regulate commercial development on the shoreline; to preserve the waterfront for public use; and to create environmental benefit on the shoreline. The park extends 8.5 miles from the foot of the Bay Bridge in Oakland to the City of Richmond, offering stunning views of the San Francisco Bay, including the Golden Gate Bridge, the skyline of the City of San Francisco, and the Marin Headlands (Exhibit 2). Providing surprising wildness and isolation in the midst of one of the most highly urbanized areas of California, it is a regional draw for dog-walkers, artists, educators, hikers, bird watchers, cyclists, and other recreational users. The vision and goal to transition the Albany Neck and Bulb into the park, outlined in the *Eastshore State Park General Plan*, has not been implemented because of concerns about uneven ground, protruding metal, unregulated art projects, construction debris, and homeless encampments. The City is therefore seeking a grant from the Conservancy to retain consultants to prepare a plan for implementation of the transition. The ultimate goal of the project is to make the site ready to create a seamless waterfront park.

The plan would be prepared in three phases. Phase I would focus on information gathering, including document review, stakeholder outreach, identification of regional and statewide priorities, and understanding of the regulatory framework. It would also include a physical site assessment to identify problem areas and determine the scope of the project, sea-level rise projections, and an analysis of site vulnerability to climate change impacts.

Phase II would entail preparation of a Transition Plan. The plan would contain a hazard assessment, mediation plan, and information on landfill integrity and water quality protection. It would also identify, at a conceptual level, potential improvements to trails and other public facilities, vegetation management, and habitat protection and enhancement.

Phase III would include a series of community meetings to gather public input on project outcomes, an environmental analysis required by the California Environmental Quality Act (CEQA), and an analysis of the greenhouse gas emission potential from project implementation. It would also include a cost estimate, phasing plan, and plans for operation and maintenance.

The proposed plan would form the basis for subsequent agreements to transfer the property from the City to Eastshore Park and applications for funding to eliminate hazards, protect the integrity of the landfill, and tackle other impediments to expansion of the Eastshore Park. Removal of trail hazards to hikers, improved service vehicle and emergency vehicle access, improved

accessibility for persons with disabilities, and integration of the Neck and Bulb into Eastshore Park are expected to increase the attractiveness of the area for new recreational users.

In preparation for transferring City lands into the Eastshore Park, the City Council recently requested that the Albany Police Department begin enforcing the City's no camping policy on the Bulb. During this transition, the City has committed to providing temporary homeless shelters, which are currently situated at the foot of Buchanan Street near the Neck. The City is also contracting with the Berkeley Food & Housing Project to provide social services to those currently camping illegally on the Bulb, including employment assistance and housing placement.

The City of Albany has a history of waterfront planning policies that reflect a commitment to cooperation with other agencies. The City will continue to work collaboratively with the operator of Eastshore Park, East Bay Regional Park District (EBRPD), throughout the planning process.

### **Site Description:**

The City waterfront is located on the eastern edge of the San Francisco Bay and encompasses approximately 190 acres of land between Highway I-80 and the Bay, with approximately 88 acres publicly owned (Exhibit 1). The Albany Plateau, Neck, and Bulb form the peninsula that extends westward from the Buchanan Street/I-80 interchange. The privately-owned Golden Gate Fields horse race track borders these areas to the south.

Much of the publicly-owned waterfront lands were created from filling the Bay with construction debris from 1963 to 1983, with vegetation growing over the fill. The publicly-owned portion of the waterfront is owned either by the City, EBRPD, or the State (and managed by the EBRPD).

The Plateau is a large, relatively level area at the east end of the peninsula and is currently owned by EBRPD. A large portion of the Plateau is maintained by the EBRPD as a potential habitat for the Burrowing Owl. South of the Plateau, the Albany Beach, owned by the State, was formed by the interplay of tidal action and the contour of the adjacent landfill.

The project site comprises the City-owned portions of the waterfront: the 31-acre Bulb and 7 acres of right-of-way within the Neck. The Neck is a narrow isthmus that extends westward from the Plateau and Buchanan Street out to the Bulb. The Bulb is a roughly oval-shaped area that comprises the westernmost portion of the peninsula.

Both the Neck and Bulb are characterized by steeper topography and denser vegetation than most other areas of the waterfront. The vegetation is designated as "ruderal scrub" (mostly non-native shrubs and grasses), and is dominated by coyote-brush. French broom and cotoneaster are also common, as are native grasses and wildflowers in varying densities. The trails have evolved over time, and in many places have uneven surfaces, protruding metal and construction debris, and are eroding. The entire peninsula shoreline is armored with concrete debris, with a particularly large concentration along the southern edge.

### **Project History:**

The Conservancy led a comprehensive East Bay shoreline needs assessment in the 1980s that helped generate strong community support for the Eastshore Park. In 1992, state legislation (AB

754) was passed that directed EBRPD to acquire and develop an Eastshore State Park encompassing waterfront land in Oakland, Emeryville, Berkeley, Albany, and Richmond. In 1995, the City of Albany submitted a proposal to EBRPD that served as a statement of the City's recommendations and guidance for the development of the City-owned portion of the waterfront to be incorporated into Eastshore Park. The proposal specified that the Neck and Bulb should be preserved as a semi-wild area, reserved for hiking, enjoying the views, observing plants and animals, and providing opportunities for solitude.

In April 2000, the Conservancy granted \$300,000 to EBRPD to prepare the *Eastshore State Park General Plan* and environmental impact report for Eastshore Park. In 2002, Eastshore Park was formally established. (In 2012, the State Park and Recreation Commission renamed the park McLaughlin Eastshore State Park in honor of Save The Bay co-founder Sylvia McLaughlin.)

In June 2003, the Conservancy granted \$2,000,000 to EBRPD for the acquisition of approximately 16 acres along the City of Berkeley's waterfront to be managed as part of Eastshore Park. In September 2009, the Conservancy granted \$100,000 of Caltrans mitigation funds to EBRPD for developing a Feasibility Study for the Albany Beach area in the Eastshore Park. In March 2012, the Conservancy granted \$150,000 in Caltrans mitigation funds to EBRPD to develop documents for final design and environmental compliance. In February 2013, the Conservancy granted \$1,461,173 in Caltrans mitigation funds to EBRPD to undertake improvements to trail and beach access and restoration at Albany Beach.

In addition, as part of the implementation of Eastshore State Park, the City has worked to develop the Bay Trail. The portion of the Bay Trail along Buchanan Street which leads to the project site west of the I-80 interchange was constructed in 1996 using Conservancy grant funds.

## PROJECT FINANCING

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| <b>Coastal Conservancy (Caltrans mitigation funds)</b> | <b>\$168,000</b> |
| <b>Project Total</b>                                   | <b>\$168,000</b> |

The Conservancy holds, in its Coastal Trust Fund, mitigation funding set aside for the Eastshore Park and other east shore areas. The funding for this project is from a permit condition in approvals issued by BCDC for work undertaken by Caltrans on the nearby Interstate 80 freeway under BCDC Permit 11-93 and work on the Bay Bridge and associated Fastrak sign under Permits 8-01 and 8-92. This project would utilize funds identified in these BCDC permits for habitat restoration and access improvements within the Eastshore Park. These funds were deposited with the Conservancy pursuant to Interagency Agreement No. SFBC 05-14 with BCDC. BCDC staff has determined that this proposed project is consistent with the terms of the BCDC permit (Exhibit 3).

The City estimates providing 10 hours per week of staff time for project management throughout the course of the project. The City would also provide venues for community meetings and absorb some document-production costs. The value of these in-kind contributions is estimated to be \$60,000.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165 regarding San Francisco Bay Area projects.

Under Section 31162(a), the Conservancy may award grants that will “improve public access to, within, and around the bay, coast, ridgetops, and urban open spaces . . . through completion . . . of regional bay, coast, water, and ridge trail systems. . . .” The proposed project, which includes planning improvement of trails linking the Bay Trail to the shoreline, will enhance public access to and along San Francisco Bay.

Under Section 31162(b), the Conservancy may act to “protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas and other open-space resources of regional importance.” The project will help enhance habitat and open space at an area which is to become part of Eastshore Park, which serves residents of at least five cities as well as visitors to the region. Thus, the project will help protect and enhance the existing regionally-significant open space within the Park.

Furthermore, under Section 31162(d), the Conservancy may “promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes.” Located in five highly urbanized cities and next to a major interstate freeway and the San Francisco Bay Trail, Eastshore Park is one of the most accessible urban state parks in California.

The proposed project also satisfies four of the five criteria for determining project priority under Section 31163(c) in the following respects: (1) the planning project is consistent with the *Eastshore State Park General Plan*, EBRPD's 1997 Master Plan, the *San Francisco Bay Plan*, the City's general and land use plans, and the City Council Strategic Plan; (2) the project serves a regional need; (3) the project will be implemented in a timely manner; and (4) not improving the City waterfront to enable it to be part of Eastshore Park would result in the loss of a significant conservation and public recreational opportunity.

The proposed project is also consistent with Section 31111, which authorizes the funding of plans to achieve the purposes of the Conservancy's enabling legislation.

**CONSISTENCY WITH CONSERVANCY'S 2013  
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 11, Objective C** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will develop a plan for enhancement of 38 acres of upland habitat.

Consistent with **Goal 12, Objective A**, the proposed project will develop a plan for a project that provides recreational facilities such as picnic and staging areas, docks and piers, campgrounds, parking lots, interpretive signs, interpretive or educational centers, and natural play spaces.

## CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on November 10, 2011, in the following respects:

### Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The nonprofit advocacy group Citizens for East Shore State Parks has expressed support for the project, which is consistent with their mission to, "create a necklace of shoreline parks from the Oakland Estuary to the Carquinez Strait." Please see attached letters of support from Assemblymember Nancy Skinner and Senator Loni Hancock, who both support incorporating the City-owned portions of the Albany waterfront into the Eastshore State Park for continuity and to encourage recreational use (Exhibit 3).
4. **Location:** The project lies within the jurisdiction of the San Francisco Bay Area Conservancy Program, in Alameda County.
5. **Need:** As a small city, the City of Albany does not have the financial resources to fund the creation of this transition plan without outside agency assistance. Without funding, the Neck and Bulb would remain under the ownership of the City of Albany. Plans to improve trails, enhance vegetation, and add public facilities would be stalled until funding for a transition plan could be identified.
6. **Greater-than-local interest:** This project will enable expansion of a State Park that spans approximately eight miles of the San Francisco Bay shoreline, including the cities of Oakland, Emeryville, Berkeley, Albany, and Richmond, with an estimated combined population of well over 600,000. The project will enable this Park to better serve local residents as well as potentially millions of visitors per year. Located near major freeways and other transportation routes, this Park is one of the most accessible open spaces in the Bay Area.
7. **Sea level rise vulnerability:** The City has done preliminary research on sea-level rise impacts at the waterfront. The average elevation of the Neck and Bulb is 30 feet above sea level. At a sea level rise of 16 inches, the roadway and site access along Buchanan Street could become vulnerable to flooding. At 55 inches, low-lying areas along the shoreline of the site would be inundated.

The plan provides for a sea-level rise analysis during Phase I of the project. The City will work with consultants to incorporate sea-level rise projections as well as an analysis of the potential for coastal erosion and flooding into the transition plan.

### Additional Criteria

11. **Conflict Resolution:** The proposed project will aid in the resolution of issues affecting the ability of the City to transfer Albany Bulb and Neck into Eastshore Park.
13. **Readiness:** The City is prepared to start work on the project immediately.
14. **Realization of prior Conservancy goals:** See “Project History” above.
16. **Cooperation:** The City will conduct the project in cooperation with East Bay Regional Park District and will consult with BCDC and other stakeholders.

#### **CONSISTENCY WITH SAN FRANCISCO BAY PLAN:**

The proposed project is consistent with the policies contained in the *San Francisco Bay Plan*, adopted by BCDC in January 2006, and the policies of BCDC in that the project will include plans for the improvement of public access and recreational opportunities while minimizing potential impacts on wildlife (Public Access Policies 2, 4, and 12 as amended October 2011). The proposed plan to expand Eastshore State Park would help implement the policies and recommendations outlined in Map 4 of the *San Francisco Bay Plan* which states, “Eastshore State Park - Develop park from Bay Bridge to Marina Bay in Richmond for multiple uses, including recreation, wildlife and aquatic life protection. Protect wildlife and aquatic life values at sites such as Emeryville Crescent, Hoffman Marsh and Albany Mudflats.”

#### **COMPLIANCE WITH CEQA:**

The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to the following sections of 14 Cal. Code of Regulations: Section 15262, in that it involves only feasibility or planning studies for possible future actions which the Conservancy has not approved, adopted, or funded; and Section 15306, in that it involves basic data collection, research, and resource evaluation activities which will not result in any disturbance to an environmental resource, and which will be undertaken as part of a study which may lead to an action which the Conservancy has not yet approved, adopted, or funded.